

1 GIBSON, DUNN & CRUTCHER LLP
2 THEODORE J. BOUTROUS, JR., SBN 132099
tboutrous@gibsondunn.com
3 THEANE D. EVANGELIS, SBN 243570
tevangelis@gibsondunn.com
4 BRANDON J. STOKER, SBN 277325
bstoker@gibsondunn.com
5 333 South Grand Avenue
Los Angeles, CA 90071-3197
Telephone: 213.229.7000
6 Facsimile: 213.229.7520

7 JOSHUA S. LIPSHUTZ, SBN 242557
jlipshutz@gibsondunn.com
8 KEVIN J. RING-DOWELL, SBN 278289
kringdowell@gibsondunn.com
9 555 Mission Street, Suite 3000
San Francisco, CA 94105-0921
10 Telephone: 415.393.8200
Facsimile: 415.393.8306

11 Attorneys for Defendants UBER
12 TECHNOLOGIES, INC., TRAVIS
KALANICK, and RYAN GRAVES

13 LICHEN & LISS-RIORDAN, P.C.
14 SHANNON LISS-RIORDAN, *pro hac vice*
sliss@llrlaw.com
ADELAIDE PAGANO, *pro hac vice*
apagano@llrlaw.com
729 Boylston Street, Suite 2000
Boston, MA 02116
Telephone: (617) 994-5800
Facsimile: (617) 994-5801

CARLSON LEGAL SERVICES
MATTHEW CARLSON, SBN 273242
mcarlson@carlsonlegalservices.com
100 Pine Street, Suite 1250
San Francisco, CA 94111
Telephone: (415) 817-1470

15 Attorneys for Plaintiffs
16 HAKAN YUCESOY, ABDI MAHAMMED,
MOKHTAR TALHA, BRIAN MORRIS, and
17 PEDRO SANCHEZ

18 HAKAN YUCESOY, ABDI MAHAMMED,
19 MOKHTAR TALHA, BRIAN MORRIS, and
20 PEDRO SANCHEZ, individually and on
behalf of all others similarly situated,

21 Plaintiffs,

22 v.

23 UBER TECHNOLOGIES, INC., TRAVIS
KALANICK, and RYAN GRAVES,

24 Defendants.

25 CASE NO. 3:15-cv-00262-EMC

26 **STIPULATION AND [PROPOSED] ORDER**
27 REGARDING HEARING SCHEDULE FOR
CASE MANAGEMENT CONFERENCE,
DEFENDANTS' MOTION TO COMPEL
28 ARBITRATION, AND DEFENDANTS'
MOTION TO DISMISS

STIPULATION

Plaintiffs Hakan Yucesoy, Abdi Mohammed, Mohktar Talha, Brian Morris, and Pedro Sanchez (“Plaintiffs”) and Defendants Uber Technologies, Inc., Travis Kalanick, and Ryan Graves (“Uber”) (collectively, the “Defendants”), by and through their respective counsel of record, hereby stipulate as follows:

WHEREAS, on August 5, 2015, Defendants filed a motion to compel arbitration as to certain of the named plaintiffs, *see* Dkt. No. 94;

WHEREAS, the hearing for Defendants' motion to compel arbitration is currently scheduled for October 21, 2015 at 9:30 a.m.;

WHEREAS, on August 28, 2015, Defendants filed a motion to dismiss Plaintiffs' second amended complaint, *see* Dkt. No. 109;

WHEREAS, the hearing for Defendants' motion to dismiss Plaintiffs' second amended complaint is currently scheduled for October 21, 2015 at 9:30 a.m.;

WHEREAS, the Court has scheduled a case management conference for November 19, 2015 at 10:30 a.m.;

WHEREAS, counsel for Plaintiffs represents the named plaintiffs in *O'Connor v. Uber Technologies, Inc.*, No. 13-03826-EMC (“*O'Connor*”) and counsel for Defendants represents the defendant in *O'Connor*;

WHEREAS, the Court has scheduled a case management conference in *O'Connor* for October 21, 2015 at 9:30 a.m.;

WHEREAS, on September 10, 2015, the *O'Connor* defendant filed a motion to compel arbitration as to certain absent class members in *O'Connor*, see *O'Connor* Dkt. No. 346;

WHEREAS, the hearing for the *O'Connor* defendant's motion to compel arbitration as to certain absent class members is currently scheduled for October 21, 2015 at 9:30 a.m.;

WHEREAS, on October 1, 2015, the *O'Connor* plaintiffs filed a motion for leave to file a fourth amended complaint in *O'Connor*, see *O'Connor* Dkt. 355;

WHEREAS, the hearing for the *O'Connor* plaintiffs' motion for leave to file a fourth amended complaint is currently scheduled for November 19, 2015 at 1:30 p.m.;

1 WHEREAS, certain unavoidable scheduling conflicts have arisen for certain of the parties'
 2 counsel on October 21, 2015 and November 19, 2015;

3 WHEREAS, certain of the parties' counsel will be traveling to San Francisco from Los
 4 Angeles and Boston for the aforementioned hearings;

5 WHEREAS, the Court is unavailable on the following Civil Law and Motion hearing dates:
 6 October 22, 2015; November 5, 2015; November 12, 2015; and November 26, 2015;

7 WHEREAS, the *O'Connor* parties intend to file a stipulation and proposed order requesting
 8 that the *O'Connor* parties' case management conference, the *O'Connor* defendant's motion to
 9 compel arbitration as to certain unnamed class members, and the *O'Connor* plaintiffs' motion for
 10 leave to file a fourth amended complaint be scheduled for November 4, 2015 at 1:30 p.m.;

11 WHEREAS, to accommodate the aforementioned scheduling conflicts and conserve the
 12 resources of the Court and the parties, the parties have conferred and agreed that: (1) the hearing for
 13 Defendants' motion to compel arbitration as certain named plaintiffs in this case; (2) the hearing for
 14 Defendants' motion to dismiss Plaintiffs' second amended complaint; and (3) the case management
 15 conference in this case should be rescheduled for November 4, 2015 at 1:30 p.m., to coincide with the
 16 proposed hearing date regarding the case management conference in *O'Connor*, the defendants'
 17 motion to compel arbitration in *O'Connor*, and the plaintiffs' motion for leave to file a fourth
 18 amended complaint in *O'Connor*;

19 NOW THEREFORE, the parties hereby stipulate, subject to the approval of this Court, that
 20 the hearing date for (1) Defendants' motion to compel arbitration as certain named plaintiffs,
 21 (2) Defendants' motion to dismiss Plaintiffs' second amended complaint, and (3) the case
 22 management conference shall be scheduled for November 4, 2015 at ~~1:30 p.m.~~^{10:00 am}; and (4) the parties'
 23 case management statement shall be due October 28, 2015.

24 ///

25 ///

26 ///

27 ///

28 ///

1 **IT IS SO STIPULATED**

2 Dated: October 12, 2015

3 GIBSON, DUNN & CRUTCHER LLP

4
5 By: _____ /s/ Theodore J. Boutros Jr.
Theodore J. Boutros Jr.

6 Attorneys for Defendants UBER
7 TECHNOLOGIES, INC., TRAVIS KALANICK,
and AND RYAN GRAVES

8
9 Dated: October 12, 2015

LICHTEN & LISS-RIORDAN, P.C.

10
11 By: _____ /s/ Shannon Liss-Riordan
Shannon Liss-Riordan

12
13 Attorney for Plaintiffs HAKAN YUCESOY, ABDI
14 MAHAMMED, MOKHTAR TALHA, BRIAN
MORRIS, and PEDRO SANCHEZ

15
16
17 **[PROPOSED] ORDER**

18 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

19 The hearing date is set for November 4, 2015 at 10:00 a.m.

20
21 Dated: 10/13, 2015



22 The Honorable Edward M. Chen
United States District Judge